

From: [ANDERSON Jim M](#)
To: [Eric Blischke/R10/USEPA/US@EPA](#); [Chip Humphrey/R10/USEPA/US@EPA](#); [Kristine Koch/R10/USEPA/US@EPA](#); [Lori Cora/R10/USEPA/US@EPA](#)
Cc: [BURKHOLDER Kurt](#); [Perry Lynne](#); [YOUNG Cyril](#); [KEPLER Rick J](#); [MCCLINCY Matt](#); [PETERSON Jenn L](#); [POULSEN Mike](#); [GAINER Tom](#); [LEVINE Ann](#)
Subject: Portland Harbor ARARs
Date: 06/12/2009 01:42 PM
Attachments: [ARARs 5_09.docx](#)

Eric & Chip,

After further evaluation, DEQ will not add further ARARs or TBCs to its table at this time. However, we would revise what is identified as ARAR 6, to note that Department of State Lands requirements for leasing, etc. are not ARARs within the CERCLA definition, but rather are proprietary requirements that might be pertinent to remedy implementation.

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From: ANDERSON Jim M
Sent: Tuesday, June 02, 2009 1:31 PM
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Subject: Portland Harbor ARARs

Eric, Chip, Kristine, & Lori,

In EPA's 4/10/09 letter to me, you requested DEQ identify potential ARARs & TBCs for the Portland Harbor project. Attached to this e-mail are the state ARARs & TBCs we identified. There are 3 other requirements that could be possible ARARs or TBCs that are not included in the attached spreadsheet that we are further considering. Those 3 additional requirements are: 1) Oregon State Harbor Line Statute (ORS 778.085), 2) City of Portland Greenway Code (PCC 33.440); & 3) City of Portland Flood Hazard Area (PCC 24.50). As soon as we finish considering these 3 requirements, I'll revise the attached spreadsheet & send it to you.

<<ARARs 5_09.docx>>

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